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17 Attorneys for Plaintiff RE/MAX, LLC



The initial case management conference
 is continued to 11/8/13 @ 2:30 p.m.

18
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19 RE/MAX, LLC,
 20 a Delaware limited liability company,
 21 Plaintiff,
 22 v.
 23 MIN LE, an individual, et al.,
 24 Defendants.

25 Case No. 3:13-cv-02625-SI

26
RE/MAX'S MOTION TO VACATE AND
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE

27 Plaintiff RE/MAX, LLC ("RE/MAX"), by and through its undersigned counsel,
 28 respectfully moves the Court to vacate and continue the Initial Case Management Conference,
 (the "Conference") currently set for September 6, 2013 [Dkt. 13].

Upon application by RE/MAX, the Clerk of the Court entered default against both
 Defendants in this matter on August 14, 2013 for their failure to plead or otherwise defend the
 action [Dkt. 22]. As of the date of this filing, Defendants have failed to answer or otherwise
 respond to the Summons and Complaint. RE/MAX is currently finalizing, and intends to file
 shortly, a motion for default judgment against both Defendants, which, if granted, would finally
 resolve this matter.

1 As such, RE/MAX respectfully requests that the Court vacate and continue the
2 Conference until such time as the Court has made a determination on RE/MAX's motion for
3 default judgment.

4
5 DATED this 3rd day of September, 2013.

6 Respectfully submitted by,
7
8

s/Nadya Bosch
9 Andrea Anderson (admitted *pro hac vice*)
Nadya C. Bosch (admitted *pro hac vice*)
10 HOLLAND & HART LLP

11 Ben M. Davidson (CA Bar No. 181464)
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12 **Attorneys for Plaintiff**
13 **RE/MAX, LLC**

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 3rd day of September, 2013, I caused to be served a true and
3 correct copy of the foregoing by depositing same in the United States mail, first class postage
4 fully prepaid to the persons and addresses listed below:

5 AMAX REALTY AND LENDING, INC.
6 MIN LE
7 3087 Oldwood Court
8 San Jose, CA 95148

5 AMAX REALTY AND LENDING, INC.
6 MIN LE
7 2268 Quimby Road East
8 San Jose, CA 95122

9
10 _____
11 *s/Rachel Held*
12 An Employee of Holland & Hart LLP

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